

FORTY-SECOND DAY
(Monday, March 26, 1973)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Snelson, Traeger, Wallace and Wolff.

The following Senators were absent-excused: McKinnon and Sherman.

A quorum was announced present.

The Reverend William J. Fogleman, Synod of Red River Presbyterian Church, Houston, Texas offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 22, 1973 was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator McKinnon was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Sherman was granted leave of absence for today on account of important business on motion of Senator Wallace.

REPORT OF STANDING COMMITTEE

Senator Creighton submitted the following reports for the Committee on Economic Development:

S.B. 455
S.B. 401
S.B. 376
S.B. 480
C.S.S.B. 360 (Read first time)

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read the following enrolled bills and resolutions:

S.B. 102
S.C.R. 67
S.B. 143
S.B. 251
H.C.R. 70
H.B. 245
H.B. 619

MESSAGE FROM THE HOUSE

Hall of the House of Representatives
Austin, Texas, March 26, 1973

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 206, A bill to be entitled An Act amending Section 6, and repealing Section 6a of Chapter 171, Acts 1947, 50th Legislature, (as amended by Chapter 391, Acts 1949, 51st Legislature, as further amended by Chapter 28, Acts 1953, 53rd Legislature, as further amended by Chapter 2, Acts 1961, 57th Legislature), compiled as Article 2783d, Vernon's Texas Civil Statutes, as amended; relating to the method and manner of electing members to the Board of Education or board of trustees of certain school districts; providing for the creation of single member trustee districts for such certain school districts; providing the time and method of apportionment and redistricting; providing for four year staggered terms; providing presidency requirements and filling of vacancies; providing election procedures; providing a time for the first election hereunder; and declaring an emergency.

H.C.R. 25, Providing that a live oak seedling from an acorn of the live oak shading the Johnson family cemetery be planted on the earliest possible birthday of the late President as a living memorial to the man and his deeds.

H.C.R. 48, Granting the National Forensic League of Stephen F. Austin High School permission to use the Hall of the House, Hall of the Senate, and the Old Supreme Court Room in the State Capitol, providing the legislature is not in session on Saturday, April 28, 1973, for the conduct of its Annual District Student Congress.

H.C.R. 57, Memorializing the Congress of the United States to assure that adequate funding continue for programs relating to human resource at the community level.

H.C.R. 61, Requesting Agriculture Commissioner John White to make an immediate study of brand registration laws in force in surrounding states and report his findings and recommendations to the 63rd Legislature within 60 or less days.

H.C.R. 65, Requesting that the portrait of Susan B. Anthony be hung in the Capitol.

H.C.R. 66, Creating an interim study committee on vegetable marketing to continue to review statutes and administrative regulations in Texas and other states pertaining to vegetable marketing and to seek means to protect Texas consumers from the importation and marketing of substandard vegetables.

H.C.R. 107, In memory of M. M. (Mickey) Goldman.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives

SENATE BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Traeger:

S.B. 846, A bill to be entitled An Act relating to the creation, establishment, maintenance, and operation of the Nueces River Authority;

amending Chapter 427, Acts of the 44th Legislature, 1st Called Session, 1935, as amended (Article 8280-115, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Herring:

S.B. 847, A bill to be entitled An Act amending parts of Chapter 11, Chapter 21 and Chapter 25, Water Code, relating to functions of the Texas Water Development Board, functions of the Texas Water Quality Board, Texas Water Development Bonds, funding provisions, financial assistance to political subdivisions for water development projects, financial assistance to political subdivisions for water quality enhancement purposes, notice of hearings and continuances under the Texas Water Quality Act, appeal of actions of the Texas Water Quality Board, conditions, amendments, revocation and suspension of permits under the Texas Water Quality Act, and definitions under the Regional Waste Disposal Act; by amending Sections 11.001, 11.141, 11.158, 11.202, 11.204, 11.207, 11.212, 11.213, 11.217, 11.301, 11.351, 11.401, 11.406, 11.409, 11.411, 11.413, 11.414, 11.415, 11.416, 21.602, 21.609, 21.612, 21.074, 21.079, 21.081, 21.086, 21.451, and Section 25.003; by repealing Section 21.0891 by adding new Sections 21.613, 21.614, 21.615, 21.616 and 21.617 to Subchapter I, Chapter 21; by adding a new Subchapter M to Chapter 11; and by adding a new Subchapter J to Chapter 21; containing other provisions relating to the subject; and declaring an emergency.

To Committee on Natural Resources.

By Senator Jones:

S.B. 848, A bill to be entitled An Act abolishing the office of county school superintendent in Runnels County; and declaring an emergency.

To Committee on Education.

By Senator Jones:

S.B. 849, A bill to be entitled An Act creating Upper Lampasas River Municipal Water District as a conservation district, under Article XVI, Section 59, of the Texas Constitution, comprising the territory contained in the City of Copperas Cove, Coryell County, Texas, and the City of Lampasas, Lampasas County, Texas, as the boundaries of said cities existed on January 1, 1973, for the purpose of providing a source of water supply for municipal, domestic, commercial, and industrial use, and diverting, impounding, storing, treating and transporting the same, and acquiring, constructing, and operating water facilities; providing for the exercise of powers granted by Chapter 25 of the Water Code to districts created under Article XVI, Section 59, of the Texas Constitution; providing for a board of directors for the government of said district; providing the means of annexing additional territory to said district; authorizing the district to obtain permits from the Texas Water Rights Commission and from owners of permits; authorizing the district to acquire any interest in land for its purposes by condemnation; providing that any construction contract in excess of \$5,000 should be made only after publication of notice; authorizing the district to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable either from ad valorem taxes or revenues, or a combination of ad valorem taxes and revenues; authorizing the issuance of refunding bonds; authorizing the execution of trust indentures or deeds of trust to secure bonds payable from revenues or partly from revenues; providing for elections approving the issuance of bonds payable wholly or partly from ad valorem taxes; authorizing the district to enter into contracts with public agencies, political subdivisions, and others, including specifically the cities of Copperas Cove and Lampasas and Central Texas College for any purpose relating to the district's powers and functions, including supplying water to them, and for operation of the district's water facilities; authorizing all public agencies and political subdivisions, including specifically the cities of Copperas Cove and Lampasas and Central Texas College

to contract with and convey land or any interest therein to the district; providing for the approval of bonds issued by the district by the attorney general and registration of bonds by the Comptroller of Public Accounts of the State of Texas; providing for supervision by the Texas Water Rights Commission; prescribing other powers and duties of the district; providing a severability clause; and declaring an emergency.

To Committee on State Affairs.

By Senator Creighton:

S.B. 850, A bill to be entitled An Act revising and amending provisions relating to licenses and license fees issued by the Parks and Wildlife Department; amending Sections 1, 2, Chapter 370, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 895c, Vernon's Texas Penal Code), relating to hunting licenses; amending Section 1, Chapter 239, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 4032b-1, Vernon's Texas Civil Statutes), relating to fishing licenses; amending Section (g), Article 908, Penal Code of Texas, 1925, as amended, relating to shooting preserves and shooting resorts; amending Section 1, Chapter 96, General Laws, Acts of the 43rd Legislature, Regular Session, 1933, (Article 978k, Vernon's Texas Penal Code), relating to game breeders; amending Section 2.(c), Chapter 299, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 923qa, Vernon's Texas Penal Code), relating to the taking and possession of furbearing animals; amending Section 9, Chapter 177, General Laws, Acts of the 39th Legislature, Regular Session, 1925 (Article 923q, Vernon's Texas Penal Code), relating to dealers in live furbearing animals; amending Article 903, Penal Code of Texas, 1925, relating to hunting guides; amending Section 3, Chapter 29, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 934a, Vernon's Texas Penal Code), relating to commercial fishing; amending Subsections (a) and (c) of Section 5, Subsection (a) of Section 7, Section 9, Subsection (a) of Section 10, and Subsection (b) of Section 11, of Section 5, Texas Shrimp Conservation Act, as amended (Article 4075b, Vernon's Texas Civil Statutes), relating to shrimp licenses; amending Section 4 and Subsections (a) and (b), Section 6a, Chapter 14, Acts of the 52nd Legislature, 1951 (Article 934c, Vernon's Texas Penal Code), relating to menhaden fish; amending Section 2, Chapter 471, Acts of the 62nd Legislature, Regular Session, 1971 (Article 962a, Vernon's Texas Penal Code), relating to taking oysters; amending Section 2, Chapter 119, Acts of the 55th Legislature, Regular Session, 1957 (Article 978k-1, Vernon's Texas Penal Code), relating to the commercial game breeder's license; providing an effective date; and declaring an emergency.

To Committee on Natural Resources.

By Senator Mengden:

S.B. 851, A bill to be entitled An Act establishing the Texas Commission on Welfare Reform; providing for a Commission Staff; requiring a reporting date; appropriating a Commission operating budget; and declaring an emergency.

To Committee on State Affairs.

By Senator Mauzy:

S.B. 852, A bill to be entitled An Act relating to exempting public schools and public hospitals from certain provisions of the Prison-Made Goods Act of 1963; amending Subsections (c), (d), (f), (g), and (m) of and adding Subsection (b-1) to Section 9, Chapter 67, General Laws, Acts of the 41st Legislature, 5th Called Session, 1930, as amended (Article 6203c, Vernon's Texas Civil Statutes); providing a penalty; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Mauzy:

S.B. 853, A bill to be entitled An Act relating to the registering of thoroughbred horses foaled in Texas; designating the Texas Thoroughbred Breeders Association as the sole official registrar of thoroughbred horses

foaled in Texas; and declaring an emergency.
To Committee on State Affairs.

By Senators Snelson and Clower:

S.B. 854, A bill to be entitled An Act amending Section 2, Chapter 397, Acts of the 54th Legislature, 1955, as last amended by Chapter 418, Acts of the 62nd Legislature, Regular Session, 1971, (codified as Article 3.70-2, Vernon's Texas Insurance Code); relating to accident and sickness insurance; requiring that every accident and health policy delivered, providing hospital, medical or surgical coverage for additional newborn children provide coverage for such newborn children, to the extent provided in the policy, from the moment of birth; and providing an effective date.

To Committee on Economic Development.

By Senator Snelson:

S.B. 855, A bill to be entitled An Act relating to the coordination of emergency medical services by the State Department of Health; and declaring an emergency.

To Committee on Human Resources.

By Senator Adams:

S.J.R. 35, Proposing an amendment to Article III, Section 9, of the Texas Constitution, to authorize the legislature by law to limit or regulate the terms for which a member may be elected Speaker.

To Committee on Administration.

By Senators Aikin and Schwartz:

S.J.R. 36, Proposing an amendment of Article III, Section 11, of the Texas Constitution, to provide a degree of permanence for House, Senate and Joint Rules.

To Committee on Administration.

SENATE RESOLUTION 378

Senator Hightower offered the following resolution:

WHEREAS, March 26 marks the birthday of our esteemed colleague, Senator William N. "Bill" Patman of Ganado, Jackson County, Texas; and

WHEREAS, Senator Patman was born on March 26, 1927, in Texarkana, Texas, the son of Congressman and Mrs. Wright Patman; his childhood and young adult life was spent in the family home in Washington, D. C. and in their Texas home in Texarkana; as the son of an important leader in Texas and national politics, Bill Patman developed a keen interest in and knowledge of government; and

WHEREAS, Senator Patman attended the University of Texas at Austin where he earned a BBA degree in Business Administration and an LLB in Law; and

WHEREAS, In 1949 and 1950, he was employed by the United States Foreign Service as a diplomatic courier in the areas of South America and the Far East; in 1953, he worked as Legal Examiner for the Oil and Gas Division of the Railroad Commission; he later moved to Ganado where he has since practiced law and he engages in ranching and farming; and

WHEREAS, He has served as a Member of the Texas Senate since 1961; he was elected by his colleagues to serve as President Pro Tempore of the Senate during the 60th Regular Session; during that time, he was privileged to preside as Governor for a Day; he has been appointed to numerous Senate committees and has served as Chairman of Agriculture and Livestock and State Departments and Institutions; and

WHEREAS, Bill Patman has maintained a vital interest in the local affairs of his community; he is a charter member of the Ganado Jaycees; he was

president of the Jackson County United Fund and Chairman of the Board of the First Methodist Church of Ganado; he continues to participate in the American Legion, and is a member of the Texas and the American Bar Association; and

WHEREAS, As his life and career were influenced by his political background, so was he destined to meet and fall in love with Carrin Mauritz, the lovely daughter of former Texas Senator Fred Mauritz; this vivacious and enthusiastic lady has provided strong leadership in the Democratic Party of Texas; Bill and Carrin Patman are the proud parents of a charming 16 year old daughter, Carrin Foreman Patman; now, therefore, be it

RESOLVED, That the Senate of the 63rd Legislature express best wishes to Senator William N. "Bill" Patman for a very happy birthday today and may he have many more to come; and be it further

RESOLVED, That copies of this Resolution be prepared and presented to him as a memento of this occasion.

The resolution was read.

On motion of Senator Traeger and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower, the resolution was adopted.

HOUSE BILL AND RESOLUTIONS ON FIRST READING

The following bill and resolutions received from the House, were read the first time and referred to the Committees indicated:

H.C.R. 61, To Committee on Natural Resources.
 H.C.R. 25, To Committee on Administration.
 H.B. 206, To Committee on Education.
 H.C.R. 107, To Committee on Administration.
 H.C.R. 66, To Committee on Administration.
 H.C.R. 65, To Committee on Administration.
 H.C.R. 57, To Committee on Finance.
 H.C.R. 48, To Committee on Administration.

SENATE BILL 11 ON SECOND READING

The President laid before the Senate on its second reading and passage to engrossment S.B. 11, with an amendment by Senator Wolff pending. (The bill having been read second time on Tuesday, March 20, 1973.)

Question, Shall the amendment by Senator Wolff be adopted?

The amendment was adopted.

Senator Wolff offered the following amendment to the bill:

Amend Senate Bill No. 11 as follows:

(1) Insert a new section to be numbered Section --- and renumber all succeeding sections accordingly, the new Section --- to read as follows:

Sec. ---. The Texas Election Code is amended by adding Section 186c, to read as follows:

"(186c Petition of voters in lieu of payment of filing fee.)

"(a). In lieu of payment of a filing fee as required by Section 185a of this code, a candidate may file a nominating petition which must be signed by the

qualified voters eligible to vote for the office for which the candidate is running equal in number to at least 2% of the entire vote cast for that party's candidate for governor in the last general election in the territory (state, district, county, or precinct) in which the candidate is running. The petition must accompany the application and be filed at the same time that the application is filed. Where a candidate for a district office is required to file an application with more than one county chairman, he shall file the petition with the county chairman in the county of his residence and shall attach to the petition the name and address of each other county chairman with whom an application is filed. He shall attach to the application which is filed with each other chairman a statement that the petition has been filed, giving the name and address of the chairman with whom it is filed. The chairman with whom the petition is filed shall certify to each other county chairman in the district whether the petition complies with the requirements of this section. He shall make the certification not later than the 45th day before the general primary.

"(b) Where a candidate is running in a district or precinct which has been created or the boundaries of which have been changed since the last general election, he may request the secretary of state in the case of a district office, and the county judge of the county in which the precinct is situated in the case of a precinct office, to make an estimate in advance of the filing deadline of the number of votes cast for that party's candidate for governor within that territory at the last general election, and upon receiving such a request the officer shall make the estimate and notify the candidate and each chairman with whom the candidate files an application. The estimate shall be used as the official basis for computing the number of signatures required on the petition. If an advance estimate is not requested, the chairman with whom the petition is filed shall make the estimate before he acts on the sufficiency of the petition. In every instance, the candidate may challenge the accuracy of the estimate, and if he is dissatisfied with the final decision of the officer he may appeal the decision to any district court in the territory involved. The decision of the district court is final.

"(c) The application of a candidate who files a petition under this section must be executed by the candidate personally, and the provision in Section 190 of this code which permits the filing of an application signed by 25 qualified voters is not available to a candidate who files a petition under this section.

"(d) The petition shall show in bold print on each page the following: 'PETITION IN LIEU OF FILING FEE TO PLACE THE NAME OF _____ ON THE PRIMARY BALLOT OF _____ PARTY FOR THE OFFICE OF _____ PLEASE READ ALL TERMS CAREFULLY,' and the following information with respect to each person signing it: his address, the number of his voter registration certificate for the voting year in which the election is held and also the county of issuance if different from the county in which he resides at the time of signing, and the date of signing.

"(e) No petition may contain the name of more than one candidate. No person may sign the petition of more than one candidate for the same office, and if any person signs the application of more than one candidate for the same office, the signature is void as to all such petitions. However, a person may withdraw and annul his signature by delivering to the candidate and to the chairman with whom the petition is filed (or is to be filed, if not then filed), his written request, signed and duly acknowledged by him, that his signature be cancelled and annulled. The request must be delivered not later than five days before the last day for filing the petition. Upon such withdrawal, the person is free to sign the petition of another candidate for the same office in the same party's primary, but the withdrawal does not have the effect of relieving the

candidate of his ineligibility to affiliate with some other political party during the voting year in which the election is held. The candidate from whose petition a signature is withdrawn may file additional signatures to replace the withdrawn signature at any time before the filing deadline, but signatures filed after the date of the candidate's application which may be counted toward the required number shall not exceed the number of withdrawn signatures.

"(f) To each person who signs a petition there shall be administered the following oath, which shall be reduced to writing and made a part of each page of the petition: 'I know the contents of this petition. I am a qualified voter eligible to vote in the forthcoming primary election of the ----- Party for the office for which ----- is a candidate. I have not signed the petition of any other candidate for this office or I have withdrawn my signature for any other candidate in the manner provided by law, and I have not signed the petition of a candidate who is running for any office in the primary of any other party. I understand that by signing this petition I became ineligible to affiliate with any other party or to participate in the primary elections, conventions, or other party affairs of any other party during the voting year in which this election is held.'

"(g) After a person has signed the petition of a candidate, the person's signature is void as to the petition of any candidate who is running in the primary election of any other party. He also becomes ineligible to affiliate with any other party during the voting year in which the election is held. If he participates or attempts to participate in the primary election or convention of any other party during that voting year, he is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$1,000.

"(h) A petition may not be circulated for signatures earlier than 90 days preceding the deadline for filing the petition. Any signature obtained on or before the 91st day preceding the deadline is void. The officer who administers the oath required by Subsection (f) of this section shall verify that the correct date of signing is shown on the petition.

"(i) The secretary of state shall prescribe a form for the petition. However, a candidate may use any other form which complies with the requirements of this section."

The amendment was read.

Senator Traeger offered the following amendment to the amendment to the bill:

Amend the pending Wolff amendment to S.B. 11 by adding the following at the end of the first sentence after the word "running":

"Provided, however, there shall in no case be less than 500 signatures with the exception of counties where the total qualified signers equals less than 500, in which case the number shall be no less than 100 signatures."

The amendment to the amendment was read and was adopted.

RECORD OF VOTE

Senator Harrington asked to be recorded as voting "Nay" on the amendment to the amendment.

The amendment as amended was then adopted.

Senator Wolff offered the following amendment to the bill:

Amend Senate Bill No. 11 as follows:

(1) Insert a new section to be numbered Section 3 and renumber all succeeding sections accordingly, the new Section 3 to read as follows:

Sec. 3. Section 185a, Texas Election Code, as amended (Article 13.07a, Vernon's Texas Election Code), is amended to read as follows:

"185a. Payment of filing fee

"Subdivision 1. Every candidate for public office shall accompany his application for a place on the general primary ballot with a filing fee in the amount prescribed in this section, unless he uses an authorized substitute method for gaining access to a place on the ballot. The schedule of fees is as follows:

"(1) All statewide offices, \$1,000.

"(2) All other offices, except member of the state board of education, county surveyor, inspector of hides and animals, and public weigher, five percent of the annual salary or compensation of the office, but not less than \$50 and not more than \$1,000.

"(3) Member of state board of education, \$50.

"(4) County surveyor, inspector of hides and animals, or public weigher, \$25.

"Subdivision 2. As used in this section, the term 'salary or compensation' means all payments received as compensation for services performed, including any supplements attached to the office for ex officio services or additional services of any nature. The filing fee for an office which is compensated on a salary basis shall be computed on the basis of the current salary rate. For an office which is compensated on a fee basis, the compensation earned and retained by the officer as shown by his last annual accounting shall be used as the basis for computing the filing fee.

"Subdivision 3. In the event a court of competent jurisdiction declares any portion of this section to be invalid, and by the 60th day before the filing deadline for a general primary election the judgment has become final or enforcement of the judgment has not been suspended, and the legislature has not corrected the invalidity (or in the event these circumstances arise subsequent to the 60th day before the filing deadline), the secretary of state shall promulgate a schedule of fees consistent with the court's judgment and the valid portions of this section; and that schedule shall be substituted for the statutory schedule until the legislature enacts a new schedule.

(2) Strike present Section 3 of the bill and substitute the following:

Sec. 4. Section 186, Texas Election Code, as amended by Section 42, Chapter 723, Acts of the 60th Legislature, Regular Session, 1967 (Article 13.08, Vernon's Texas Election Code), is amended to read as follows:

"186. Expenses of primary

"At the meeting provided for in Section 195 of this code, the county executive committee shall carefully estimate the cost of printing the official ballots, providing all other necessary forms and supplies, renting polling places where necessary, compensation of election judges and clerks, and all other necessary expenses of holding the general primary and second primary in that county. The estimate made by the committee shall be the basis on which funds are allocated to the committee for financing the primaries, subject to such revised estimates as may be required by law and to an accounting by the county chairman of the amounts actually expended in the conduct of the elections.

(3) Insert a new section to be numbered Section 6 and renumber all succeeding sections accordingly, the new Section 6 to read as follows:

Sec. 6. Paragraph (ii), Subsection (2), Section 190a, Texas Election Code (Article 13.12a, Vernon's Texas Election Code), relating to nominations for unexpired terms by parties holding primary elections, is amended to read as follows:

"(ii) If the vacancy occurs on or after the fifth day preceding the regular filing deadline and more than 30 days before the day of the general primary election, nomination for the unexpired term shall be made by primary

election, and the applications of candidates for a place on the ballot shall be filed not later than 6 p.m. on the 20th day following the occurrence of the vacancy. However, where the vacancy occurs less than 20 days before the 25th day preceding the primary, the deadline for filing is 6 p.m. on the 25th day preceding the primary. Except as otherwise provided herein, the application and candidacy shall be governed by the provisions which govern candidacy for an unexpired term when the vacancy occurs more than five days before the regular filing deadline.

(4) Strike present Section 17 of the bill and substitute the following:

Sec. 19. The following sections of the Texas Election Code, as originally enacted and as amended, are repealed: Sections 186a, 186a-1, 193, 194, and 215 (Articles 13.08a, 13.08a-1, 13.15, 13.16, and 13.37, Vernon's Texas Election Code).

The amendment was read and was adopted.

RECORD OF VOTES

Senators Mauzy and Longoria asked to be recorded as voting "Nay" on the amendment.

Senator Mauzy offered the following amendment to the bill:

Amend S.B. 11 as follows:

(1) Strike the words "200,000 votes or more for Governor" on line 23 of page 2 of the printed bill and substituting therefor the following: "as many as two per cent of the total votes cast for Governor or less than 200,000 votes".

(2) On page 15, line 36, of the printed bill change "may" to "must".

(3) On page 15, line 40, change the semicolon to a period and strike the remainder of the sentence.

(4) On page 15 of the printed bill delete lines 43 through 50 (Subsection 2 of Section 223, Election Code).

(5) Amend Section 17 of the bill to read as follows: "Section 215 and subdivision 1, Section 222a, Texas Election Code (Article 13.37 and 13.45a, Vernon's Texas Election Code) are repealed."

The amendment was read.

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote: Yeas 12, Nays 17.

Yeas: Aikin, Blanchard, Clower, Gammage, Harrington, Kothmann, Mauzy, McKnight, Patman, Snelson, Traeger and Wallace.

Nays: Adams, Andujar, Braecklein, Brooks, Creighton, Harris, Herring, Hightower, Jones, Longoria, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz and Wolff.

Absent-excused: McKinnon and Sherman.

Senator Herring offered the following amendment to the bill:

Amend S.B. 11 as follows:

(1) Insert a new section to be numbered Section 18 and renumber all succeeding sections accordingly, the new Section 18 to read as follows:

"Sec. 18. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable."

The amendment was read and was adopted.

Senator Traeger offered the following amendment to the bill:

Amend S.B. 11 by changing all references to primary filing deadline from "First Tuesday after first Monday in June" to "First Tuesday after the First Monday in March."

The amendment was read.

Senator Wolff moved to table the amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table was lost by the following vote: Yeas 13, Nays 16.

Yeas: Braecklein, Clower, Harrington, Harris, Herring, Kothmann, Mauzy, Meier, Ogg, Schwartz, Snelson, Wallace and Wolff.

Nays: Adams, Aikin, Andujar, Blanchard, Brooks, Creighton, Gammage, Hightower, Jones, Longoria, McKnight, Mengden, Moore, Patman, Santiesteban and Traeger.

Absent-excused: McKinnon and Sherman.

Question, Shall the amendment be adopted?

Senator Ogg offered the following amendment to the amendment to the bill:

Amend the pending Traeger amendment to S.B. 11 by striking the word "March" and adding in lieu thereof the word "May".

The amendment to the amendment was read.

Senator Traeger moved to table the amendment to the amendment.

Question on the motion to table, "Yeas" and "Nays" demanded.

The motion to table prevailed by the following vote: Yeas 16, Nays 13.

Yeas: Aikin, Andujar, Blanchard, Brooks, Creighton, Gammage, Hightower, Longoria, McKnight, Mengden, Moore, Patman, Santiesteban, Traeger, Wallace and Wolff.

Nays: Adams, Braecklein, Clower, Harrington, Harris, Herring, Jones, Kothmann, Mauzy, Meier, Ogg, Schwartz and Snelson.

Absent-excused: McKinnon and Sherman.

Senator Creighton offered the following amendment to the amendment to the

bill:

Amend the Traeger amendment by changing the word "March" to "April".

The amendment to the amendment was read.

Senator Traeger moved to table the amendment to the amendment.

Question on the motion to table, "Yeas" and "Nays" demanded.

The motion to table prevailed by the following vote: Yeas 15, Nays 14.

Yeas: Adams, Aikin, Blanchard, Brooks, Gammage, Harrington, Hightower, Longoria, McKnight, Mengden, Moore, Patman, Santiesteban, Traeger and Wallace.

Nays: Andujar, Braecklein, Clower, Creighton, Harris, Herring, Jones, Kothmann, Mauzy, Meier, Ogg, Schwartz, Snelson and Wolff.

Absent-excused: McKinnon and Sherman.

Question, Shall the amendment by Senator Traeger to S.B. 11 be adopted?

Question on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment was adopted by the following vote: Yeas 17, Nays 12.

Yeas: Adams, Aikin, Andujar, Blanchard, Brooks, Creighton, Gammage, Harrington, Hightower, Longoria, McKnight, Mengden, Moore, Patman, Santiesteban, Traeger and Wolff.

Nays: Braecklein, Clower, Harris, Herring, Jones, Kothmann, Mauzy, Meier, Ogg, Schwartz, Snelson and Wallace.

Absent-excused: McKinnon and Sherman.

Question, Shall S.B. 11, as amended, be passed to engrossment?

CONFERENCE COMMITTEE ON HOUSE CONCURRENT RESOLUTION 3

The President announced the appointment of the following Conference Committee on the part of the Senate on H.C.R. 3: Senators Schwartz, Adams, Aikin, Harris and Hightower.

NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Tuesday, March 27, 1973

C.S.S.B. 41 - Senator Gammage

S.B. 47 - Senator Mauzy

S.B. 71 - Senator Braecklein

S.B. 115 - Senator Brooks

S.B. 123 - Senator Gammage

C.S.S.B. 256 - Senator Clower

C.S.S.B. 131 - Senator Creighton

S.B. 255 - Senator Clower
S.B. 147 - Senator Gammage
S.B. 221 - Senator Patman
S.B. 234 - Senator Creighton
S.B. 264 - Senator Moore
S.B. 386 - Senator Herring
S.B. 392 - Senator Snelson
S.B. 263 - Senator Brooks
S.B. 593 - Senator Mauzy
S.J.R. 15 - Senator Schwartz
S.C.R. 16 - Senator Mauzy
S.C.R. 59 - Senator Moore
H.B. 34 - Senator Aikin
C.S.S.B. 348 - Senator Ogg
S.B. 129 - Senator Longoria

Friday, March 30, 1973

C.S.S.B. 274 - Senator Schwartz

MEMORIAL RESOLUTIONS

S.R. 381 - By Senator Snelson: Memorial resolution for Mrs. Sarah Henderson.

S.R. 382 - By Senator Snelson: Memorial resolution for M. L. Brooks.

S.R. 383 - By Senator Snelson: Memorial resolution for R. W. "Bob" Weatherby.

S.R. 384 - By Senator Snelson: Memorial resolution for Chester Klaerner.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 377 - By Senator Adams: Extending congratulations to Douglas Ray Butler.

S.R. 379 - By Senator Creighton: Extending welcome to Michelle Whetstone and Deborah Fender.

S.R. 380 - By Senator Brooks: Extending welcome to Concerned Teens.

S.R. 385 - By Senator Snelson: Extending congratulations to Dr. Frank H. Pratt.

S.R. 386 - By Senator Snelson: Extending congratulations to Mrs. Lowell F. Hankins.

S.R. 387 - By Senator Brooks: Extending welcome to Students from Channelview High School.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:42 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX**Sent To Governor****March 26, 1973**

S.C.R. 67

S.B. 102

S.B. 143

S.B. 251

FORTY-THIRD DAY**(Tuesday, March 27, 1973)**

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

A quorum was announced present.

The Reverend John Barclay, D. D., former pastor, Central Christian Church, Austin, Texas, offered the invocation as follows:

Eternal God, our Father, we pause to acknowledge Thy presence and to thank thee for the governmental establishment under which we live. We pray for the Governor, the Legislature and the courts. We pray for all public officials whom we have elected to lead us. May they do so with courage, high intelligence and integrity. May they lead us to return to the virtues of our Fathers: industry, honesty and frugality.

Help us all to recapture the faith of our fathers and their spiritual optimism: That problems are soluble, that what ought to be can be, that neighborly potential is inherent in mankind.

May today be a great productive day in the Texas Legislature. We pray in Jesus name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Moore submitted the following reports for the Committee on State Affairs:

S.B. 466

S.B. 444 (Amended)

S.B. 821

S.B. 604 (Amended)